

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

Miyano Machinery USA Inc.,
Miyano Machinery Inc.,

Plaintiff / Counter-defendants,

V.

MiyanoHitec Machinery, Inc.,
Thomas ("Tom") Miyano, a/k/a Toshiharu
Miyano, and
Steven Miyano, a/k/a Shigemori Miyano,

Defendant / Counter-plaintiffs

TO: (Name and address of Defendant)

Miyano Machinery Inc.
c/o Mr. Nakasawa, President of MMU
940 N. Central Ave.
Wood Dale, IL 60191-1216

CASE NUMBER: 08 C 526

ASSIGNED JUDGE: Judge Kendall

DESIGNATED
MAGISTRATE JUDGE: Magistrate Judge Nolan

YOU ARE HEREBY SUMMONED and required to serve upon ^{Counter} PLAINTIFF'S ATTORNEY (name and address)

Geoffrey D. Smith
Dowell Baker, P.C.
201 Main Street
Suite 710
Lafayette, IN 47901

+

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

Cynthia Mercado

(By) DEPUTY CLERK

March 13, 2008

Date



AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
Northern District of Illinois**

Case Number: 08 C 526

Plaintiff:

Miyano Machinery USA Inc.,

vs.

Defendant:

**MiyanoHitec Machinery, Inc., Thomas ("Tom") Miyano, a/k/a Toshiharu
Miyano and Steven Miyano, a/k/a Shigermori Miyano**

For:

Geoffrey Smith
Dowell Baker, P.C.
201 Main Street Suite 710
Lafayette, IN 47901

Received by STO Investigations, Inc. to be served on **Miyano Machinery Inc. c/o Mr. Nagasawa, President of MMU, 940 N. Central Ave., Wood Dale, IL 60191.**

I, Trevor Russell, being duly sworn, depose and say that on the **14th day of March, 2008 at 1:20 pm, I:**

CORPORATE: served by delivering a true copy of the **ANSWER, AFFIRMATIVE DEFENSES AND COUNTER CLAIMS** with the date and hour of service endorsed thereon by me, to: **Toshiyuki Nagasawa as c/o Owner for Miyano Machinery Inc. c/o Mr. Nagasawa, President of MMU**, at the address of: **940 N. Central Ave., Wood Dale, IL 60191**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 50, Sex: M, Race/Skin Color: Asian, Height: 5'6", Weight: 130, Hair: Black/Gray, Glasses: N

I certify that I am over the age of 18 and not party to this action



Subscribed and Sworn to before me on the 14th day of March, 2008 by the affiant who is personally known to me.

Debra Lynn DeVries
NOTARY PUBLIC

Trevor Russell
Trevor Russell
Process Server

STO Investigations, Inc.
6006 W. 159th Street
Bldg D Unit 1w
Oak Forest, IL 60452
(708) 752-8800
Our Job Serial Number: 2008000101

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 03-14-08
NAME OF SERVER (PRINT) TREVOR RUSSELL	TITLE PROCESS SERVER

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: **MIYANO MACHINERY, INC.**
940 N. CENTRAL AVE. WOODDALE IL 60191

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on **03-14-08**
Date

Trevor Russell
Signature of Server
STO INVESTIGATIONS, INC.
6006 W. 159TH STREET
BUILDING D, UNIT 1 W
OAK FOREST, IL 60452
708-752-8800
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.